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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

v.

CLIVEN D. BUNDY,
RYAN C. BUNDY,
AMMON E. BUNDY,
RYAN W. PAYNE,
PETER T. SANTILLI, Jr.,
MELVIN D. BUNDY,
DAVID H. BUNDY,
BRIAN D. CAVALIER,
BLAINE COOPER,
GERALD A. DELEMUS,
ERIC J. PARKER,
O. SCOTT DREXLER,
RICHARD R. LOVELIEN,
STEVEN A. STEWART,
TODD C. ENGEL,
GREGORY P. BURLESON,
JOSEPH D. O'SHAUGHNESSY,
MICAH L. McGUIRE, and
JASON D. WOODS,

Defendants.

SEALED

SUPERSEDING CRIMINAL
INDICTMENT

2:16-CR-00046-GMN-PAL

VIOLATIONS:

18 U.S.C. § 371 – Conspiracy to Commit
an Offense Against the United States;

18 U.S.C. § 372 – Conspiracy to Impede
and Injure a Federal Officer;

18 U.S.C. § 111(a)(1) and (b) – Assault on
a Federal Officer;

18 U.S.C. § 115(a)(1)(B) – Threatening a
Federal Law Enforcement Officer;

18 U.S.C. § 924(c) – Use and Carry of a
Firearm in Relation to a Crime of
Violence;

18 U.S.C. § 1503 – Obstruction of the
Due Administration of Justice;

18 U.S.C. § 1951 – Interference with
Interstate Commerce by Extortion;

18 U.S.C. § 1952 – Interstate Travel in
Aid of Extortion;

18 U.S.C. § 2 – Aiding and Abetting

1 The Grand Jury charges that at all times relevant to this Superseding
2 Indictment:

3 I.

4 SUMMARY

5 1. This Superseding Indictment resulted from a massive armed assault
6 against federal law enforcement officers that occurred in and around Bunkerville,
7 Nevada, on April 12, 2014. The defendants named herein planned, organized, led,
8 and/or participated as gunmen in the assault, all in order to threaten, intimidate,
9 and extort the officers into abandoning approximately 400 head of cattle that were
10 in their lawful care and custody.

11 2. One of the goals of the conspiracy was to thwart the seizure and
12 removal of defendant Cliven BUNDY's ("BUNDY") cattle from federal public
13 lands. BUNDY had trespassed on the public lands for over 20 years, refusing to
14 obtain the legally-required permits or pay the required fees to keep and graze his
15 cattle on the land.

16 3. Since 1998, BUNDY was under federal Court Order to remove his
17 trespass cattle, an Order BUNDY refused to recognize or follow. In 2013, a
18 federal court issued two more Orders for removal, each declaring that, in keeping
19 with the law, the United States was authorized to seize and remove the cattle
20 from the land in the event BUNDY refused to do so. BUNDY refused.

21 4. The removal operation, known as an "impoundment," began on April
22 5, 2014. While it was ongoing, BUNDY and other leaders and organizers of the
23 conspiracy, used deceit and deception to recruit gunmen and other "Followers" for
24

1 the purpose of using force, threats, and intimidation to stop the impoundment,
2 flooding the internet with false and deceitful images and statements to the effect
3 that law enforcement officers were abusing **BUNDY** and stealing his cattle.
4 Deliberately lying, the leaders and organizers pleaded for gunmen and others to
5 travel to Nevada to "stop the abuse" by "making a show of force against [the
6 officers]" in order "to get them to back down" and "return the cattle." By the
7 morning of April 12, hundreds of people, including gunmen armed with assault
8 rifles and other firearms, had traveled to Bunkerville, becoming **BUNDY's**
9 "Followers," conspiring with, and aiding and abetting him, and the other leaders
10 and organizers, to execute a plan to recover **BUNDY's** cattle by force, threats and
11 intimidation.

12 5. On the morning of April 12, **BUNDY** organized his gunmen and
13 other Followers and gave them the Order to get the cattle, directing a crowd of
14 hundreds to travel more than five miles to the site where the cattle were corralled.
15 One group of Followers kept law enforcement officers occupied at the main
16 entrance of the site by threatening to enter there, while another group –
17 ultimately consisting of more than 200 Followers led by defendant Ammon
18 **BUNDY ("A. BUNDY")** – assaulted the site from below, converging on its most
19 vulnerable point: a narrow entrance located in a wash that ran under highway
20 bridges. Seeing the assault unfold, the officers responded to the wash to prevent
21 entry.
22

23 6. The 200 Followers in the wash included a significant number of
24 gunmen, brandishing or raising their assault rifles or other firearms in front of

1 the officers. Some of these gunmen took tactically superior positions on high
2 ground, while others moved in and out of the crowd, masking their movements
3 behind other unarmed Followers. The most immediate threat to the officers came
4 from the bridges where gunmen took sniper positions behind concrete barriers,
5 their assault rifles aimed directly at the officers below.

6 7. Having seized the tactical advantage, A. **BUNDY** and about 200 of
7 the Followers pressed forward to and against the wash entrance, demanding that
8 the officers leave and abandon the cattle, threatening to enter by force if they did
9 not do so. Outnumbered by more than 4:1, unwilling to risk harm to children and
10 other unarmed bystanders who had accompanied the Followers, and wishing to
11 avoid the firefight that was sure to follow if they engaged the gunmen on the
12 bridges and elsewhere who posed such an obvious threat to their lives, the officers
13 had no choice and were forced to leave and abandon the cattle to **BUNDY** and his
14 co-conspirators, who promptly released and returned the cattle to **BUNDY**.

15 8. Thereafter, the leaders and organizers of the conspiracy organized
16 armed security patrols and checkpoints in and around **BUNDY**'s property to deter
17 and prevent any future law enforcement actions against **BUNDY** or his co-
18 conspirators and to protect his cattle from future removal actions, cattle he
19 continued to hold, graze and keep on federal public lands unlawfully and
20 continues to do so as of the date of this Superseding Indictment.

21 II.

22 THE DEFENDANTS

23 9. Defendant Cliven D. **BUNDY** ("**BUNDY**") was a resident of
24

1 Bunkerville, Nevada, and the operator of a ranch referred to as "Bundy Ranch."
2 His ranching operations included grazing cattle unlawfully on federal public land.

3 10. Defendant Ryan C. **BUNDY** ("**R. BUNDY**") was a resident of Utah
4 and one of **BUNDY**'s adult sons who affiliated himself with Bundy Ranch.

5 11. Defendant Ammon E. **BUNDY** ("**A. BUNDY**") was a resident of
6 Arizona and one of **BUNDY**'s adult sons who affiliated himself with Bundy Ranch.

7 12. Defendant Ryan W. **PAYNE** ("**PAYNE**") was a resident of Montana
8 and affiliated with an organization that he called Operation Mutual Aid ("**OMA**").
9 **OMA** purported to be "a coalition of States Militias, Patriotic Civilians, Individual
10 Freedom Fighters, and Media Relations personnel from Patriotic political activism
11 groups, in conjunction with local law enforcement if and where applicable."

12 13. Defendant Peter T. **SANTILLI** ("**SANTILLI**") was a resident of
13 California, who purported to be an internet blog radio host and affiliated with a
14 show that he broadcasted over the internet.

15 14. Defendant Melvin D. **BUNDY** ("**M. BUNDY**") was a resident of
16 Nevada and one of Cliven Bundy's adult sons who affiliated himself with Bundy
17 Ranch.

18 15. Defendant David H. **BUNDY** ("**D. BUNDY**") was a resident of Utah
19 and one of Cliven Bundy's adult sons who affiliated himself with Bundy Ranch.

20 16. Defendant Brian D. **CAVALIER** ("**CAVALIER**") was a resident of
21 Arizona who traveled to the State of Nevada with the intent to commit the crimes
22 delineated herein.

23 17. Defendant Blaine **COOPER** ("**COOPER**") was a resident of Arizona
24

1 who traveled to the State of Nevada with the intent to commit the crimes
2 delineated herein.

3 18. Defendant Gerald A. **DELEMUS** ("DELEMUS") was a resident of
4 New Hampshire who traveled to the State of Nevada with the intent to commit
5 the crimes delineated herein.

6 19. Defendant ERIC J. **PARKER** ("PARKER") was a resident of Idaho
7 who traveled to the State of Nevada with the intent to commit the crimes
8 delineated herein.

9 20. Defendant O. SCOTT **DREXLER** ("DREXLER") was a resident of
10 Idaho who traveled to the State of Nevada to commit the crimes delineated herein.

11 21. Defendant Richard R. **LOVELIEN** ("LOVELIEN") was a resident of
12 Montana who traveled to the State of Nevada with the intent to commit the
13 crimes delineated herein.

14 22. Defendant Steven A. **STEWART** ("STEWART") was a resident of
15 Idaho who traveled to the State of Nevada with the intent to commit the crimes
16 delineated herein.

17 23. Defendant Todd C. **ENGEL** ("ENGEL") was a resident of Idaho to
18 who traveled to the State of Nevada with the intent to commit the crimes
19 delineated herein.

20 24. Defendant Gregory P. **BURLESON** ("BURLESON") was a resident
21 of Arizona who traveled to Nevada with the intent to commit the crimes set forth
22 herein.

23 25. Defendant Joseph D. **O'SHAUGHNESSY** ("O'SHAUGHNESSY")
24

1 was a resident of Arizona who traveled to Nevada with the intent to commit the
2 crimes set forth herein.

3 26. Defendant Micah L. **McGUIRE** ("**McGUIRE**") was a resident of
4 Arizona who traveled to Nevada with the intent to commit the crimes set forth
5 herein.

6 27. Defendant Jason D. **WOODS** ("**WOODS**") was a resident of Arizona
7 who traveled to Nevada with the intent to commit the crimes set forth herein.

8 **III.**

9 **TERMS AND DEFINITIONS**

10 28. "Federal public land" or "public land" was land owned by the United
11 States and managed through various agencies of the United States, including,
12 among others, the United States Department of Interior, Bureau of Land
13 Management ("BLM") and National Park Service ("NPS").

14 29. The BLM and NPS employed Rangers, Officers, and Special Agents
15 to enforce federal laws and regulations on public land under their management.

16 30. BLM and NPS Rangers, Officers, and Special Agents were "federal
17 law enforcement officers" under Title 18, United States Code, Section 115, that is,
18 they were officers, agents, and employees of the United States authorized by law
19 to engage in or supervise the prevention, detection, investigation, or prosecution of
20 any violation of federal criminal law.

21 31. The Bunkerville Allotment ("the Allotment") was an area of federal
22 public land near Bunkerville, Nevada, under the management of BLM. The
23 United States has owned the land comprising the Allotment since 1848, when it
24

1 was acquired from the nation of Mexico under the Treaty of Guadalupe Hidalgo,
2 and has never relinquished ownership.

3 32. The Lake Mead National Recreational Area ("LMNRA") was an area
4 of federal public land located near or adjacent to the Allotment, under the
5 management of the NPS. The United States has owned the land comprising the
6 LMNRA since 1848, when it was acquired from the nation of Mexico under the
7 Treaty of Guadalupe Hidalgo, and has never relinquished ownership.

8 IV.

9 **BUNDY TRESPASSED CATTLE ON PUBLIC LAND AND REFUSED**
10 **TO COMPLY WITH FOUR COURT ORDERS TO REMOVE THEM**

11 33. Federal law required a rancher to obtain a grazing permit from the
12 BLM and to pay fees to the United States to graze cattle on the Bunkerville
13 Allotment. Grazing cattle without a permit constituted a trespass on public land.

14 34. From 1993 to the date of this Superseding Indictment, **BUNDY**
15 knowingly refused to pay fees or obtain permits as he kept and grazed his cattle
16 on the Allotment year-round, constituting a continuing trespass on public land.

17 35. In 1998, and because of **BUNDY's** continuing trespass, the United
18 States District Court for the District of Nevada (hereinafter "District Court" or
19 "Federal Court") Ordered **BUNDY** to remove his cattle permanently from the
20 Allotment. **BUNDY** deliberately ignored the Order and continued to trespass by
21 keeping and grazing his cattle unlawfully on public land.

22 36. In 1999, the District Court fined **BUNDY** for each day he refused to
23 remove his cattle. **BUNDY** refused to pay the fines and continued to trespass by
24

1 keeping and grazing his cattle unlawfully on public land.

2 37. By 2012, **BUNDY**'s herd had multiplied substantially and spread
3 into the LMNRA where **BUNDY** kept and grazed them year-round, refusing to
4 pay fees or obtain permits, constituting a continuing trespass on public land.

5 38. In 2013, the District Court issued two Orders. One ordered **BUNDY**
6 to remove his trespass cattle permanently from the LMNRA and the other re-
7 affirmed the 1998 and 1999 Orders that required him to remove his cattle
8 permanently from the Allotment. Both Orders declared that, in keeping with the
9 law, the United States was authorized to seize and remove **BUNDY**'s trespass
10 cattle if he did not comply with the Court's Orders. One of the Orders expressly
11 stated that **BUNDY** was "not to interfere" with any removal.

12 39. **BUNDY** ignored the Orders and continued to keep and graze his
13 trespass cattle unlawfully on public land.

14 V.

15 **THE BLM PLANNED TO SEIZE AND REMOVE THE CATTLE** 16 **FROM THE PUBLIC LANDS PURSUANT TO COURT ORDERS**

17 40. In keeping with the law and the 2013 federal Court Orders, the BLM
18 planned to seize and remove **BUNDY**'s trespass cattle, following well-established
19 rules and regulations governing this procedure, referred to hereinafter collectively
20 as "impound" or "impoundment."

21 41. A preliminary survey revealed that the BLM would have to
22 impound almost 1,000 head of trespass cattle scattered over hundreds of
23 thousands of acres of arid and difficult terrain. Given these circumstances, BLM
24

1 estimated that it would take a month or more to complete the impoundment.

2 42. It was part of the plan that BLM would establish a base of operations
3 (hereinafter referred to as "the Impoundment Site") located on the public lands
4 near Bunkerville, about 7 miles away from Bundy Ranch in an area commonly
5 referred to as the Toquop Wash.

6 43. It was part of the plan that on February 17, 2014, the BLM entered
7 into a contract with a civilian contractor in Utah to round-up and gather the
8 trespass cattle. The contract required the contractor to transport people and
9 equipment to Nevada to conduct impoundment operations.

10 44. It was part of the plan that the civilian contractor and crew would
11 gather and move the trespass cattle from public land into corrals at the
12 Impoundment Site where they would be held until such time as they could be
13 further transported.

14 45. It was part of the plan that on March 20, 2014, BLM entered into a
15 contract for the services of an auctioneer in Utah. The contract required the
16 trespass cattle to be transported from the Impoundment Site in Nevada to the
17 contract auctioneer in Utah, who would then sell them at public sale.

18 46. It was part of the plan that BLM would use BLM and NPS Rangers,
19 Officers, and Special Agents to provide security for impoundment operations,
20 including securing the cattle at the Impoundment Site and protecting the civilian
21 contractors and government employees engaged in impoundment operations.
22

1 BUNDY replied: "I will do whatever it takes; you interpret that the way you
2 want."

3 52. On March 24, 2014, BUNDY threatened to interfere, stating
4 publically that he intended to "organize lots of groups" to "come from hundreds of
5 miles away" and he was in a "range war" with BLM that could "last a long time."

6 53. On March 25, 2014, BUNDY threatened to interfere, stating
7 publically that: "BUNDY's ready . . . whenever [the federal government's] got the
8 guts to try it . . . tell them to come . . . I'll do whatever it takes."

9 54. On March 28, 2014, BUNDY threatened to interfere, stating
10 publically that: "all of those cowboys are going to be thieves who steal my cattle . .
11 . [i]t's like they're staging for a war . . . I told them I'd do whatever it takes . . . I'll
12 stick with that."

13 VII.

14 BUNDY CARRIED OUT HIS THREATS 15 BY CONSPIRING TO LIE, THREATEN FORCE 16 AND VIOLENCE, AND USE FORCE AND VIOLENCE

17 A. Object and Nature of the Conspiracy.

18 55. Beginning in at least March 2014, and continuing to the date of this
19 Superseding Indictment, the defendants conspired, confederated, and agreed to
20 commit numerous federal offenses, as charged below, in order to achieve the
21 objects of the conspiracy.

22 56. The scope, nature, and objects of the conspiratorial agreement were
23 to threaten force and violence and use force and violence to: (1) impede, obstruct,
24 and interfere with BLM's impoundment; (2) obtain BUNDY's impounded cattle;

1 (3) intimidate and prevent law enforcement officers from taking action against the
2 conspirators; and (4) threaten, intimidate, and prevent by force law enforcement
3 officers from taking future law enforcement actions against **BUNDY** and his co-
4 conspirators and prevent by force and threats of force, the BLM from exercising
5 regulatory and law enforcement authority over federal public lands.

6 **B. Manner and Means of the Conspiracy.**

7 57. To achieve their objectives, the leaders and organizers of the
8 conspiracy recruited, organized, and led a force of hundreds of people (hereinafter
9 referred to as "Followers") to threaten and use force and violence to prevent the
10 law enforcement officers from discharging their duties and to coerce their consent
11 to abandon the cattle that were, pursuant to Court Order, lawfully in their care
12 and custody and which they were duty-bound to protect.

13 58. As a part of the manner and means of the conspiracy, the leaders and
14 organizers of the conspiracy, among other things:

15 a. Used deceit and deception to knowingly recruit gunmen and
16 other Followers, that is, to encourage, counsel, and incite others to travel to Bundy
17 Ranch for the unlawful purposes of interfering with impoundment operations,
18 obstructing the execution of federal Court Orders and using force and violence
19 against federal law enforcement officers while they were performing their duties.

20 b. Used the internet and other facilities in interstate commerce to
21 knowingly broadcast false, deceitful, and deceptive images and messages for the
22 purpose of recruiting gunmen and other Followers.

23 c. Used the internet and other facilities in interstate commerce to
24

1 encourage, counsel, and incite gunmen to bring their guns to Bundy Ranch for the
2 unlawful purposes of interfering with impoundment operations, obstructing the
3 execution of federal Court Orders, and using force and violence against federal law
4 enforcement officers to prevent them from discharging their duties.

5 d. Traveled in interstate commerce and used other facilities in
6 interstate commerce to threaten force, violence, and economic harm to private
7 contractors providing services to the BLM during impoundment operations.

8 e. Threatened and used force and violence against BLM civilian
9 employees engaged in impoundment operations for the purpose of obstructing the
10 execution of federal Court Orders and interfering with impoundment operations.

11 f. Counseled, incited, and led Followers to use, carry, brandish,
12 and aim firearms, including assault rifles, for the purpose of assaulting federal
13 law enforcement officers.

14 g. Counseled, incited, and led Followers to use, carry, brandish,
15 and aim firearms, including assault rifles, for the purpose of extorting federal law
16 enforcement officers.

17 h. Organized Followers into body guards, armed patrols, and
18 security checkpoints for the purpose of using threats, force, violence, and
19 intimidation to protect the conspirators, prevent law enforcement actions against
20 the conspirators, prevent the execution of federal Court Orders, and prevent law
21 enforcement officers from discharging their duties.

22
23 59. As a part of the manner and means of the conspiracy, the defendants
24 referred to herein as "gunmen," traveled to Bundy Ranch with firearms for the

1 purpose of joining the conspiracy and to carry, use, or brandish firearms for the
2 purpose of threatening, intimidating, impeding, interfering with, assaulting and
3 extorting federal law enforcement officers while in the performance of their duties.

4 **C. Roles of the Conspirators.**

5 60. **BUNDY** was the leader, organizer, and chief beneficiary of the
6 conspiracy, possessing ultimate authority over the scope, manner, and means of
7 conspiratorial operations and receiving the economic benefits of the extortion.

8 61. **A. BUNDY** and **R. BUNDY**, were leaders and organizers of the
9 conspiracy who, among other things: recruited gunmen and other Followers;
10 interfered with impoundment operations through threats and use of force and
11 violence; interfered with impoundment operations by attempting to extort BLM
12 contractors; led an armed assault against federal law enforcement officers;
13 delivered extortionate demands to law enforcement officers; and extorted federal
14 law enforcement officers.

15 62. **PAYNE** was a leader and organizer of the conspiracy who, among
16 other things: recruited gunmen and other Followers; organized gunmen and other
17 Followers; communicated the objectives of the conspiracy to gunmen; led the
18 armed assault on federal officers at the Impoundment Site; and organized
19 protection for the conspirators and the criminal enterprise.

20 63. **SANTILLI** was a leader and organizer of the conspiracy who, among
21 other things: recruited gunmen and other Followers using the internet and other
22 facilities in interstate commerce; led an assault on federal officers on April 9;
23 threatened federal law enforcement officers; and participated in the assault and
24

1 extortion of federal law enforcement officers at the Impoundment Site.

2 64. Defendants **D. BUNDY** and **M. BUNDY** were leaders and organizers
3 of the conspiracy who, among other things: recruited gunmen and other Followers;
4 interfered with impoundment operations through threats and use of force and
5 violence; interfered with impoundment operations by attempting to extort BLM
6 contractors; led the armed assault against federal law enforcement officers at the
7 Impoundment Site; delivered extortionate demands to law enforcement officers;
8 and extorted federal law enforcement officers.

9 65. Defendant **CAVALIER** was a mid-level leader and organizer of the
10 conspiracy who, among other things: recruited and organized gunmen and other
11 Followers; conducted reconnaissance missions; and provided personal protection
12 for members of the criminal enterprise.

13 66. Defendant **COOPER** was a mid-level leader and organizer of the
14 conspiracy who, among other things: recruited and organized gunmen and other
15 Followers; conducted reconnaissance missions; recruited Followers; and provided
16 personal protection for members of the criminal enterprise.

17 67. Defendant **O'SHAUGHNESSY** was a mid-level leader and organizer
18 of the conspiracy who, among other things: organized gunmen and other
19 Followers; led gunmen and other Followers in the assault and extortion of federal
20 law enforcement officers at the Impoundment Site; organized protection for
21 members of the criminal enterprise; and organized armed patrols and security
22 checkpoints.
23

24 68. Defendant **DELEMUS** was a mid-level leader and organizer of the

1 conspiracy who, among other things: recruited, organized, trained and provided
2 logistical support to gunmen and other Followers and organized and led armed
3 patrols and security checkpoints.

4 69. Defendant **PARKER** was a gunman who threatened, impeded,
5 intimidated, interfered with, assaulted and extorted federal law enforcement
6 officers while in the performance of their duties, as described herein.

7 70. Defendant **DREXLER** was a gunman who threatened, impeded,
8 intimidated, interfered with, assaulted and extorted federal law enforcement
9 officers while in the performance of their duties, as described herein.

10 71. Defendant **STEWART** was a gunman who threatened, impeded,
11 intimidated, interfered with, assaulted and extorted federal law enforcement
12 while in the performance of their duties, as described herein.

13 72. Defendant **LOVELIEN** was a gunman who threatened, impeded,
14 intimidated, interfered with, assaulted and extorted federal law enforcement
15 officers while in the performance of their duties, as described herein.

16 73. Defendant **ENGEL** was a gunman who threatened, impeded,
17 intimidated, interfered with, assaulted and extorted federal law enforcement
18 officers while in the performance of their duties, as described herein.

19 74. Defendant **BURLESON** was a gunman who threatened, impeded,
20 intimidated, interfered with, assaulted, and extorted federal law enforcement
21 officers while in the performance of their duties, as described herein.

22 75. Defendant **McGUIRE** was a gunman who threatened, impeded,
23 intimidated, interfered with, assaulted, and extorted federal law enforcement
24

1 officers while in the performance of their duties, as described herein.

2 76. Defendant **WOODS** was a gunman who threatened, impeded,
3 intimidated, interfered with, assaulted and extorted federal law enforcement
4 officers while in the performance of their duties, as described herein.

5 **D. Overt Acts in Furtherance of the Conspiracy.**

6 77. It was a part of the conspiracy and for the purpose of carrying out the
7 objects of the conspiracy, the defendants performed, or caused to be performed, the
8 following overt acts, among many others.

9 1. **March 28 to April 11: The Conspirators Interfered with**
10 **Impoundment Operations and Used Deceit and Deception to**
11 **Recruit Followers.**

12 78. On or about March 28, 2014, **BUNDY, R. BUNDY**, and others
13 working with them, blocked a convoy of vehicles carrying horses and equipment
14 intended for use in impoundment operations, confronting and threatening civilian
15 contractors, endangering the safety of the personnel in the convoy, and interfering
16 with impoundment operations.

17 79. Shortly thereafter, and in an effort to recruit Followers, **BUNDY**
18 caused the broadcast of a video of the confrontation with the contractors entitled
19 "Range War," depicting images captured during the confrontation, combining
20 them with false, deceitful and deceptive statements to the effect that the BLM was
21 stealing **BUNDY's** cattle.

22 80. On or about April 2, 2014, **R. BUNDY** and others working with him,
23 traveled from Nevada to Utah to threaten force, violence and economic harm to
24 the contract auctioneer providing services to the BLM, by, among other things,

1 entering upon the contractor's property for the purpose of interfering with
2 business operations, threatening and intimidating customers and employees,
3 interfering with business operations, and threatening to shut down the business if
4 the contractor fulfilled his contractual obligations with BLM.

5 81. On or about April 5, 2014, **BUNDY** threatened force and violence
6 against federal law enforcement officers by publically stating, among other things:
7 "I've done quite a bit so far to keep my cattle, but I guess it's not been enough . . .
8 they took 75 of my cattle today . . . I have said I'd do what it takes to keep my
9 cattle so I guess it is going to have to be more physical."

10 82. On or about April 5, 2014, **D. BUNDY** traveled from Utah to the
11 Bundy Ranch in Nevada.

12 83. On or about April 6, 2014, **R. BUNDY** and **D. BUNDY**, interfered
13 with impoundment operations by positioning themselves to block a BLM convoy
14 and refusing to leave the area when asked to do so. Failing to leave after repeated
15 requests, **D. BUNDY** was arrested by law enforcement officers.

16 84. Shortly thereafter, the defendants caused images of the **D. BUNDY**
17 arrest to be broadcasted over the internet, combining them with false, deceitful
18 and deceptive statements to the effect that the BLM supposedly: employed snipers
19 against Bundy family members; used excessive force during the arrest; and
20 arrested Bundy for exercising his First Amendment rights.

21 85. On or about April 6, 2014, **COOPER** posted on his Facebook page a
22 link to an article about the Impoundment and stated, "See where are those Oath
23 Keeper's I say we go their armed together and help him fight if there was ever a
24

1 time to make a stand against the feds now is the time. Good so let's go there 100
2 strong loaded to the teeth and shoot all of them that try to take this man's cows
3 and land."

4 86. On or about April 7, 2014, **A. BUNDY** traveled from Arizona to the
5 Bundy Ranch in Nevada.

6 87. On or about April 7, 2014, **PAYNE** in Montana contacted **BUNDY** in
7 Nevada, by telephone.

8 88. On or about April 7, 2014, **PAYNE** used the internet and other
9 facilities in interstate commerce to recruit gunmen and others to travel to the
10 Bundy Ranch for the unlawful purpose of interfering with impoundment
11 operations, stating falsely, among other things, that the Bundy Ranch was
12 surrounded by BLM snipers, that the Bundy family was isolated, and that the
13 BLM wanted **BUNDY** dead.

14 89. On or about April 7, 2014, **BUNDY** and others working with him
15 established a site only minutes travel distance from the Bundy Ranch along
16 Nevada State Route 170, a state road that also served as the main route between
17 the Impoundment Site and the public land where impoundment operations were
18 taking place. Strategically located between the Impoundment Site and various
19 ingress and egress points to public land, the location of site served as both a
20 natural vantage point from which to observe impoundment operations and a
21 potential choke-point for disrupting BLM convoys. Conspicuous for, among other
22 things, a stage and two tall flagpoles, one of which flew the Nevada State flag
23 above the flag of the United States, this site (hereinafter referred to as "the
24

1 Staging Site”) served as a base of operations from which the conspirators made
2 speeches, received and organized gunmen and other Followers as they arrived at
3 Bundy Ranch, and gathered and organized gunmen and other Followers before
4 initiating their assault on federal law enforcement officers.

5 90. On or about April 7, 2014, **COOPER** contacted **SANTILLI** about
6 going to Bundy Ranch, stating, “What do you think about getting a movement
7 down to Nevada against the FEDS? . . . Time we stopped all this huffing and
8 puffing and bullshit over the microphones and computers and go down and do
9 what we got to do.”

10 91. On or about April 8, 2014, **SANTILLI** in California contacted
11 **BUNDY** in Nevada, by telephone.

12 92. On or about April 8, 2014, **SANTILLI** and **BUNDY** broadcasted
13 words and images over the internet for the purpose of recruiting gunmen and
14 other Followers. Using deceit, deception, and threats to encourage and incite
15 others to travel to Bundy Ranch for unlawful purposes, **BUNDY** told listeners,
16 among other things, that: “they have my house surrounded . . . the federal
17 government is stealing my property . . . [the BLM] are armed with assault rifles . .
18 . they have snipers . . . I haven’t called no militia but, hey, that look like where we
19 are . . . there is a strong army out here . . . we are going to have to take our land
20 back . . . somebody is going to have to back off . . . we the people will put our boots
21 down and walk over these people . . . they are up against a man who will do
22 whatever it takes.”

23 93. In that same broadcast, **SANTILLI** used threats to encourage and
24

1 incite listeners to travel to Bundy Ranch for unlawful purposes, telling listeners,
2 among other things, that: "if this is not the issue right now where we stand and
3 fight to the absolute death there is no other option; the federal government must
4 get out of the State of Nevada . . . if they don't want it to be peaceful it is by their
5 choice. . . I'm calling on all Americans anywhere in the vicinity of Clark County,
6 Nevada . . . if you're in Nevada and can legally carry, get weapons out there, o.k. . .
7 . we are going to stand and fight in Clark County, Nevada . . . they will leave or
8 else."

9 94. On or about April 8, 2014, **PAYNE** sent a message from Montana to
10 Pennsylvania to another person who referred to himself as one of the leaders in
11 OMA, stating, among other things, that it was "time to invite everyone to the first
12 annual Patriots (sic) Picnic at the Bundy Ranch" and telling the OMA leader that
13 the Bundys "still want help."

14 95. On or about April 8, 2014, and for the purpose of recruiting gunmen
15 and other Followers, **PAYNE** sent a message over the internet, stating that he
16 had spoken with **BUNDY** and that "he knows we're coming and has opened his
17 land up to everyone willing . . . OMA is moving . . . not going public with this until
18 more are enroute."

19 96. On or about April 8, 2014, **PAYNE** caused an email to be sent to
20 OMA members stating: "we have made the decision to mobilize in Nevada, units
21 are underway as I type this . . . the feds arrested some protestors today, and the
22 words 'we need you now' were uttered . . . we have approximately 150 responding,
23 but that number is [gr]owing by the hour." The message provided directions and
24

1 grid coordinates to Bundy Ranch.

2 97. On or about and between April 8 and 9, 2014, **SANTILLI** traveled
3 from California to Bundy Ranch in Nevada.

4 98. On or about and between April 8 and 9, 2014, **PAYNE** traveled from
5 Montana to Bundy Ranch in Nevada.

6 99. On or about April 8, 2014, **DELEMUS** in New Hampshire contacted
7 **BUNDY** in Nevada.

8 100. On or about April 9, 2014, **PAYNE** and **SANTILLI** met with
9 **BUNDY** and other conspirators at Bundy Ranch.

10 101. On or about April 9, 2014, **ENGEL** in Idaho contacted an OMA
11 member in Pennsylvania.

12 102. On the morning of April 9, 2014, **M. BUNDY** and **SANTILLI** met
13 with the SAC. **SANTILLI** stated that he was acting as a liaison between **BUNDY**
14 and the BLM. Threatening the SAC, **SANTILLI** asked: "What are you guys going
15 to do if 10,000 people show up? . . . Are you prepared for this?" **SANTILLI** added:
16 "I don't believe in firing a single bullet unless in absolute defense and it's legal
17 and constitutional."
18

19 103. On or about April 9, 2014, and for the purpose of encouraging and
20 inciting gunmen and others to travel to Bundy Ranch for unlawful purposes, the
21 conspirators caused a message to be broadcasted over the internet, stating: "The
22 Bundy family has requested help from militia groups including Operation Mutual
23 Aid, 3 Percenters club, freedom fighters, and other operations to come and stand
24 with us and regain our rights and freedom."

1 104. On April 9, 2014, and for the purpose of encouraging and inciting
2 gunmen and others to travel to Bundy Ranch for unlawful purposes, **SANTILLI**
3 broadcasted a message over the internet, stating, among other things: "the BLM
4 knows if they are outnumbered and outgunned . . . they will stand down . . . we
5 want BLM to get out of the state of Nevada . . . I fully expect the standoff will
6 occur when thousands go to repossess the rightfully owned property of the Bundys
7 . . . we need strength in numbers."

8 105. On or about April 9, 2014, **R. BUNDY**, and others working with him,
9 traveled for a second time from Nevada to Utah to threaten force, violence and
10 economic loss to the contract auctioneer providing services to the BLM by, among
11 other things: intimidating customers; interfering with business operations; and
12 instilling fear and apprehension in customers and employees.

13 106. On or about April 9, 2014, and for the purpose of recruiting gunmen
14 and encouraging and inciting others to travel to Bundy Ranch for unlawful
15 purposes, **SANTILLI** broadcasted a message over the internet, stating, among
16 other things: "now is the time to show up for something like this . . . we need ten
17 thousand people to come here . . . I only have one fear is that people that don't
18 respond to this call . . . it's time to make a stand against tyranny . . . we need to let
19 everyone know that BLM has zero authority."

20 107. On April 9, 2014, **SANTILLI**, **A. BUNDY** and **M. BUNDY** assaulted,
21 interfered with, impeded and intimidated federal officers by, among other things:
22 intercepting and blocking a convoy of BLM vehicles engaged in impoundment
23 operations; colliding an ATV into a truck in the convoy in an attempt to stall the
24

1 truck; attempting to forcibly gain entrance to the stalled truck; attempting to
2 throw a rock at law enforcement officers protecting the convoy; threatening
3 physical harm to law enforcement officers while they were protecting the truck
4 and the civilian passengers inside; and causing physical contact with an officer
5 while the officer was engaged in protecting the truck and the civilian passengers
6 inside.

7 108. On or about April 9, 2014, and for the purpose of recruiting gunmen
8 and inciting others to travel to Bundy Ranch for unlawful purposes, **SANTILLI**
9 broadcasted a message over the internet, stating, among other things: "we were
10 serious about stopping the convoy . . . [the BLM] were caught off guard and tried
11 to push past us . . . they couldn't do it . . . we outnumbered them and they
12 retreated . . . we know how they will come back after they retreat . . . my biggest
13 fear is if we don't respond . . . they retreated and will come back with a bigger
14 force . . . we need to disperse them with tens of thousands . . . we want BLM to
15 always retreat because we will always outnumber them . . . we have all been
16 waiting for that ultimate moment . . . there is so much at stake . . . we can win
17 with numbers . . . I've got people coming from Michigan . . . militia members who
18 are fully armed are here . . . it's good to watch the BLM with its tail between its
19 legs . . . get out here . . . this is going to get exciting . . . ultimately get the feds to
20 leave."
21

22 109. On April 10, 2014, and for the purpose of recruiting gunmen and
23 encouraging and inciting others to travel to Bundy Ranch for unlawful purposes,
24 **PAYNE** caused an email to be sent to self-described "militia" members of OMA

1 under the subject line "Bundy Objectives," as follows:

2 Nevada Alert! We are requesting help to distribute the following to any and
3 all media, blog, patriot groups etc.

4 1. Secure the Bundy family from government incursion which includes
5 protection of all personnel responding in support of the Bundys ie.
6 Protestors, extended family, and friends.

7 2. To return the confiscated Clark County Nevada property currently
8 blocked by federal personnel to it's (sic) rightful stewards, the people of
9 Clark County, Nevada.

10 3. To secure and return to Mr. Bundys (sic) ranch the mounting number
11 of cattle which have been confiscated by BLM agents and private
12 contractors.

13 These objectives are in cohesion with Cliven Bundy and the Bundy ranch . .
14 ..

15 110. On or about April 10, 2014, and for the purpose of recruiting gunmen
16 and encouraging and inciting others to travel to Bundy Ranch for unlawful
17 purposes, **SANTILLI** broadcasted a message over the internet, stating, among
18 other things: "there is not enough militia here . . . we have thousands of very
19 organized constitutional militia . . . they are trickling in . . . where we will fail is
20 for us not to at least match the overwhelming force . . . we have about 50
21 members here now . . . where we will fail is for us not to not match the BLM force .
22 . . we need a show of force . . . we did a recon and found that BLM have hundreds
23 of vehicles . . . BLM needs to vacate immediately . . . we need the numbers for
24 the feds to leave . . . they will come back with a bigger force . . . we need tens of
thousands of people so they retreat . . . come out here . . . we've all been waiting
for the ultimate moment . . . we can win with numbers . . . get out here no matter
where you are . . . militia members here are fully armed."

1 111. On or about April 10, 2014, and for the purpose of recruiting gunmen
2 and encouraging and inciting others to travel to Bundy Ranch for unlawful
3 purposes, **SANTILLI** broadcasted a message over the internet, stating, among
4 other things: "there is a court order, but the court is corrupt . . . BLM believes
5 they are acting constitutionally . . . BLM is in violation of every God-given right of
6 every human being . . . [BLM's] closure orders are 'shelter in place'. . . [BLM]
7 aimed AR-15s at me [during confrontation on April 9] . . . Waco and Ruby Ridge
8 was a show of force by government and violated sovereign rights . . . if we have
9 10,000 people, [the BLM] will have to get past us."

10 112. On or about April 10, **LOVELIEN** traveled from Montana to the
11 Bundy Ranch in Nevada with firearms and with the intent to commit the crimes
12 set forth herein.

13 113. On or about April 10, 2014, **O'SHAUGHNESSY** traveled from
14 Arizona to Bundy Ranch in Nevada with firearms and with the intent to commit
15 the crimes set forth herein.

16 114. On or about April 10, 2014, **DELEMUS** began to travel from New
17 Hampshire to Nevada with firearms and with the intent to commit the crimes set
18 forth herein.

19 115. On the morning of April 11, 2014, **SANTILLI** met with the SAC and
20 threatened him, stating, among other things: "we are going to have a face-to-face
21 confrontation . . . we have thousands of people . . . we are going to come here and
22 it is non-negotiable . . . if that comes about, we want to make sure that any [BLM
23 officer] who wants to stand down will not be retaliated against . . . this is non-
24

1 negotiable . . . if you make the decision to go face-to-face and someone gets hurt
2 we are going to hold you responsible . . . tell D.C. that the justification for this is
3 from a corrupt court . . . I'm relaying a message . . . if anyone is acting
4 unconstitutionally they will be arrested . . . I came here to allow you to prevent a
5 scenario where someone gets hurt."

6 116. By on or about April 11, 2014, hundreds of Followers traveled to
7 Nevada, many armed with assault rifles and other firearms (hereinafter also
8 referred to as "gunmen").

9 117. By on or about April 11, 2014, **PAYNE** and others working with him,
10 received and organized the gunmen, placing them into camps from which to
11 mobilize and deploy them.

12 118. By on or about April 11, 2014, **PAYNE**, and others working with
13 him, organized gunmen into patrols and security checkpoints to provide security
14 to the conspirators and their criminal enterprise.

15 119. On or about April 11, 2014, **CAVALIER** and **COOPER** traveled
16 together from Arizona to Bundy Ranch in Nevada with firearms and with the
17 intent to commit the crimes set forth herein.

18 120. On or about April 11, 2014, **PARKER**, **STEWART**, **DREXLER**, and
19 **ENGEL** traveled from Idaho to Bundy Ranch in Nevada with firearms and with
20 the intent to commit the crimes set forth herein.

21 121. On or about April 11 and 12, 2014, **McGUIRE**, **WOODS**, and
22 **BURLESON** traveled from Arizona to Bundy Ranch in Nevada with firearms and
23 with the intent to commit the crimes set forth herein.
24

1 **2. April 12: The Conspirators Assaulted and Extorted Law**
2 **Enforcement Officers.**

3 122. It was further a part of the conspiracy that on April 12, 2014, the
4 defendants organized, led, and executed a mass assault on federal law
5 enforcement officers in order to obtain the seized cattle, as follows.

6 123. By the morning of April 12, the BLM had seized approximately 400
7 head of cattle and had them corralled at the Impoundment Site, awaiting further
8 shipment out of the state of Nevada.

9 124. On the morning of April 12, **BUNDY** led a rally of hundreds of his
10 Followers at the Staging Site where he told them that "God [is] going to be with
11 us" and that it was time "to take our land back." He then commanded his
12 Followers to get the cattle.

13 125. **BUNDY** directed gunmen and other Followers that "horse people"
14 (Followers riding horses) would leave the Staging Site and travel a dirt road to the
15 Toquop Wash, the location of the Impoundment Site, a distance of about 3.5 miles.
16 While that was happening, so commanded by **BUNDY**, the gunmen and other
17 Followers were to travel the highway by vehicle, a distance of about 5 miles, and
18 "shut down the freeway" at the Impoundment Site. The gunmen and other
19 Followers, so directed by **BUNDY**, were then to meet with the "horse people" in
20 the Toquop Wash.

21 126. The gunmen and other Followers did as **BUNDY** ordered. The
22 gunmen, armed with a variety of firearms, including assault rifles, hurriedly
23 loaded themselves into cars and trucks and moved *en masse* to the Impoundment
24

1 Site, jamming the roads and slowing traffic on northbound Interstate-15 ("I-15") to
2 a trickle, making it difficult for state and local law enforcement vehicles to
3 respond. When the gunmen and other Followers arrived at the Impoundment Site,
4 they jumped out of their vehicles and many of them moved quickly on foot to a
5 position across from the main entrance.

6 127. The few local law enforcement officers who were able to respond
7 formed a human line in the I-15 median to block the Followers, many of whom
8 carried and brandished assault rifles, from entering at the main entrance to the
9 Impoundment Site.

10 128. Around 11:30 a.m., **A. BUNDY** directed Followers to follow him from
11 the area across from the main entrance to the Impoundment Site to an area a few
12 hundred yards east and below the main entrance, in the Toquop Wash under the
13 northbound I-15 bridge. There, **A. BUNDY** waited while gunmen and other
14 Followers, seeing the movement of the others to the wash, moved there to join
15 him. As gunmen and other Followers gathered in the wash, **A. BUNDY**
16 instructed them that they were to wait there until the Followers on horseback
17 arrived, as his father had stated at the Staging Site.

18 129. About 150 yards across from **A. BUNDY's** position was a makeshift
19 metal rail gate that traversed the wash between the pillars that supported the
20 southbound I-15 bridge, serving to block any unauthorized entrance to the
21 Impoundment Site from the wash. The gate was manned only by two officers who
22 immediately called for backup when they first noticed **A. BUNDY** move to the
23 wash with his Followers. As the number of Followers in the wash grew, more
24

1 officers responded to the gate, eventually forming a line that started about 15 to
2 20 yards behind the gate and extended up the wash, perpendicular to the gate.

3 130. By 11:50 a.m., over 400 of **BUNDY's** Followers had converged upon
4 the Impoundment Site, many of the Followers openly brandishing assault rifles,
5 others bearing side arms, the combined group grossly outnumbering the
6 approximately 50 officers that had moved to the wash to protect the gate. More
7 and more of the Followers moved to the wash while still others began flooding onto
8 the southbound I-15 bridges and bridge skirts, their movement there facilitated by
9 the Followers having slowed traffic on I-15 to a mere trickle.

10 131. Around 12:00 noon, **M. BUNDY** and the 40-or-so Followers on
11 horseback arrived at the wash and joined with **A. BUNDY's** group. Then, the
12 combined force of about 270 Followers – a combination of armed and unarmed on
13 foot and on horseback – moved out from under the northbound I-15 bridge and
14 toward the officers at the gate. The officers immediately began ordering the crowd
15 to disperse. Using loudspeakers, they told the Followers that they were in a closed
16 area, in violation of a Court Order. Still they came. As the Followers moved
17 closer to them, the officers observed the gunmen moving with them and began
18 calling out their positions to each other and to their dispatch center. On the
19 loudspeaker, officers told the Followers that they had spotted the gunmen and
20 ordered them all to leave. The commands went unheeded and the gunmen and
21 other Followers continued toward the gate.

23 132. When the Followers got to within 60 yards of the gate, they stopped –
24 then formed a human line that stretched across the bottom of the wash. There

1 they waited.

2 133. **M. BUNDY** led the Followers on horses into a skirmish line
3 formation across the bottom of the wash. **A. BUNDY** and his group quickly filed
4 into the line. At this point, the Followers numbered about 200, and the law
5 enforcement officers numbered about 50. The officers continued to call out any
6 gunmen they observed. They called out gunmen with "long guns" and sidearms
7 moving in and out among the unarmed Followers on foot, some of them taking
8 high ground. They called out gunmen with "long guns" moving on the bridges and
9 then disappearing. One of the officers called out that they soon would be
10 outgunned. As more gunmen moved to the wash, the officers reported that there
11 were "more guns than they could count."

12 134. The officers continued to use loudspeakers to command the gunmen
13 and other Followers to disperse. Their commands were met with angry taunts,
14 the Followers screaming at the officers, demanding that they release **BUNDY's**
15 cattle.
16

17 135. The officers at the gate were dangerously exposed. They were in the
18 open on low ground at the bottom of the wash, below highway bridges that
19 towered more than 40 feet above them and surrounded on the sides by steep
20 embankments of high ground. The terrain acted like a funnel with them at the
21 bottom and no natural cover or concealment to protect them from the gunmen on
22 the high ground, their only protection being their body armor and the vehicles
23 they happened to drive to the gate. At this point, approximately 40 Followers
24 were either carrying or brandishing firearms in front of the officers in the wash

1 while more than 20 of them carried or brandished firearms on the bridges. The
2 officers at the gate could readily observe gunmen bobbing up and down from
3 behind the concrete barriers that bordered the northbound I-15 bridge, indicating
4 to the officers that the gunmen were acquiring, and determining the range to,
5 their officer-targets. They observed armed gunmen dressed in military-style
6 tactical gear and wearing body armor, moving in and among the unarmed
7 Followers, using them as human shields to mask their movements while still
8 others took tactically superior over-watch positions on the sides of the wash.

9 136. The Followers' close proximity to the officers, their array and
10 formation in the wash, their refusal to disperse upon command, their angry
11 taunts, their numbers carrying or brandishing firearms, the movements of the
12 gunmen in and among the unarmed while brandishing assault rifles and wearing
13 body armor, and the superior position of the gunmen on the bridge above, all
14 caused the officers to fear immediate bodily harm or death.

15 137. Around 12:15 p.m. and after hearing from his officers at the gate that
16 there now were "too many guns to count" in front of them, the SAC was forced to
17 decide to give in to **BUNDY's** demands and release the cattle in order to prevent
18 death or injury to his officers and others. The SAC moved from the main entrance
19 area, down the wash and to the gate, his purpose being to find a way to create
20 space between his officers and the gunmen and other Followers so the officers
21 could safely disengage and avoid any potential bloodshed while he found a way to
22 release the cattle.

23 138. As the SAC approached the gate, he observed assault weapons
24

1 pointed at him and gunmen moving to higher ground, all causing the SAC to fear
2 immediate bodily harm or death.

3 139. When the SAC arrived at the gate, **A. BUNDY** came out from the
4 line and moved to the gate. The line of Followers advanced with him, yelling,
5 screaming, and taunting the officers as they moved, refusing to disperse as
6 ordered. The gunmen on the bridges took sniper positions, some behind the
7 concrete barriers on the bridges and others under the bridges, tucked in the
8 crevice where the bridge skirt connects to the highway.

9 140. As **A. BUNDY** moved to the gate, his gunmen in the wash moved
10 with him, openly brandishing their rifles and taking over-watch positions on the
11 high ground within full view of the tactically disadvantaged officers, the snipers
12 on the bridges now aiming their assault rifles directly at the officers below.
13 Seeing the combined force arrayed against them – an organized crowd of more
14 than 400 Followers, more than 270 of the Followers in the wash directly in front of
15 them, more than 60 gunmen among the crowd carrying or brandishing rifles or
16 pistols, 40 Followers on horseback, gunmen/snipers concealed on and under the
17 bridges above them with their rifles zeroed-in on the officers, gunmen
18 intermingled with the crowd using the unarmed Followers to shield their
19 movement, gunmen in over-watch positions on the high ground, all refusing to
20 leave, all of them there to get the cattle – the officers believed they were going to
21 be shot and killed. They were stymied – prevented from shooting the gunmen who
22 posed such an obvious threat to their lives out of concern they would spark a
23 firefight that would kill or injure unarmed people. Unable to surgically remove
24

1 the deadly threats before them, outnumbered, outgunned, and located in a
2 dangerously exposed and tactically inferior position, the officers knew they were
3 easy targets. They still held their ground.

4 141. Arriving at the gate, **A. BUNDY** and **D. BUNDY** met with the SAC
5 who explained to **A. BUNDY** and **D. BUNDY** that he would work with him to
6 release the cattle but that they first had to move their Followers back from the
7 gate so the officers could safely disengage. **A. BUNDY** and **D. BUNDY** refused
8 and demanded that the officers leave first, **A. BUNDY** stating, among other
9 things, "You need to leave . . . that's the terms . . . no, you need to leave . . . you are
10 on Nevada State property . . . the time is now . . . no, the time is now."

11 142. To prevent the disaster that was sure to follow if the officers
12 remained longer, the SAC was forced to give in to their demands and ordered his
13 officers to leave, abandoning the post, the impoundment site, and the cattle to
14 **BUNDY**.

15 143. Having been forced to meet the conspirators' demands, the SAC met
16 with **D. BUNDY** and **R. BUNDY** near the main entrance to the Impoundment
17 Site to negotiate the departure of the law enforcement officers. While the
18 Followers, including gunmen, held their position below at the gate, **R. BUNDY**
19 demanded that the SAC order his officers leave the Impoundment Site within two
20 hours.
21

22 144. Thereafter, **R. BUNDY** assumed a leadership role in ensuring that
23 the officers left the Impoundment Site quickly and then organized the Followers to
24 release the cattle.

1 145. The law enforcement officers were thus forced to abandon the
2 Impoundment Site and the cattle to the conspirators and their Followers. **R.**
3 **BUNDY, M. BUNDY**, and other Followers promptly gathered at the cattle
4 corrals, where they opened the gates to release the cattle. **M. BUNDY** then led the
5 Followers on horses to drive the cattle out of the Impoundment Site. Thereafter,
6 **A. BUNDY** directed Followers to dismantle the corrals.

7 3. **Continuing Conspiracy – Post-Assault to Indictment: The**
8 **Conspirators Organized Bodyguards, Patrols, and**
9 **Checkpoints to Prevent and Deter Future Law Enforcement**
 Actions.

10 146. It was further a part of the conspiracy that following the April 12
11 assault and extortion, the defendants took such other actions as necessary to
12 protect themselves and their ill-gotten gains and to further interfere with and
13 prevent future federal law enforcement actions on the public lands.

14 147. From April 12 to at least the end of May 2014, the defendants
15 established, organized, and maintained camps to provide housing and logistical
16 support to armed gunmen who continued to travel to the Bundy Ranch.

17 148. From April 12 to at least the end of May 2014, the defendants,
18 including **DELEMUS, CAVALIER** and **COOPER** established armed checkpoints
19 and security patrols to prevent and deter law enforcement actions against the
20 conspirators, including recovering the extorted cattle.

21 149. From April 12 to at least the end of May 2014, the defendants
22 established armed checkpoints and security patrols to prevent and deter law
23 enforcement actions against the conspirators, including recovering the extorted
24

1 cattle.

2 150. From April 12, 2014 through September 2014, the defendants made
3 statements to the SAC, threatening similar assaultive conduct in the event the
4 BLM attempted further law enforcement actions against **BUNDY** and his
5 conspirators.

6 151. From April 12, 2014 through the date of this Superseding
7 Indictment, the defendants made public statements threatening that they would
8 continue to interfere with federal law enforcement actions against them or the
9 cattle.

10 152. From April 12, 2014 through the date of this Superseding
11 Indictment, the defendants continued to employ armed body guards, including
12 **CAVALIER** and **COOPER**, to protect **BUNDY** and other conspirators from
13 federal law enforcement actions.

14 153. From April 12, 2014, through the date of this Superseding
15 Indictment, the conspirators continue to take such actions as necessary to hold,
16 protect, and prevent the impoundment of the extorted cattle and such other
17 trespass cattle that are subject to the 2013 Court Orders.

18
19 **COUNT ONE**

20 Conspiracy to Commit an Offense Against the United States
(Title 18, United States Code, Section 371)

21 154. Paragraphs 1 through 153 are incorporated herein in full.

22 155. Beginning in at least March 2014 and continuing to on or about the
23 date of this Superseding Indictment, in the State and Federal District of Nevada
24 and elsewhere,

1 CLIVEN D. BUNDY,
2 RYAN C. BUNDY,
3 AMMON E. BUNDY,
4 RYAN W. PAYNE,
5 PETER T. SANTILLI, Jr.,
6 MELVIN D. BUNDY,
7 DAVID H. BUNDY,
8 BRIAN D. CAVALIER,
9 BLAINE COOPER,
10 GERALD A. DELEMUS,
11 ERIC J. PARKER,
12 O. SCOTT DREXLER,
13 RICHARD R. LOVELIEN,
14 STEVEN A. STEWART,
15 TODD C. ENGEL,
16 GREGORY P. BURLESON,
17 JOSEPH D. O'SHAUGHNESSY,
18 MICAH L. McGUIRE, and
19 JASON D. WOODS,

20 defendants herein, did conspire, confederate and agree with each other, and with
21 others known and unknown to the Grand Jury, to commit an offense against the
22 United States, to wit:

23 a. Assault on a Federal Officer, in violation of Title 18, United
24 States Code, Section 111(a)(1) and (b);

 b. Threatening a Federal Law Enforcement Officer, in violation of
Title 18, United States Code, Section 115(a)(1)(B);

 c. Use and Carry of a Firearm In Relation to a Crime of Violence,
in violation of Title 18, United States Code, Section 924(c);

 d. Obstruction of the Due Administration of Justice, in violation
of Title 18, United States Code, Section 1503;

 e. Interference with Interstate Commerce by Extortion, in
violation of Title 18, United States Code, Section 1951; and

f. Interstate Travel in Aid of Extortion, in violation of Title 18, United States Code, Section 1952.

156. In furtherance of the conspiracy, the defendants committed, attempted to commit and caused to be committed, the overt acts described herein and all of those comprising the offenses charged in Counts Three through Sixteen. All in violation of Title 18, United States Code, Section 371.

COUNT TWO

Conspiracy to Impede or Injure a Federal Officer
(Title 18, United States Code, Section 372)

157. Paragraphs 1 through 153 are incorporated herein in full.

158. Beginning in at least March 2014 and continuing to on or about the date of this Superseding Indictment, in the State and Federal District of Nevada and elsewhere,

CLIVEN D. BUNDY,
RYAN C. BUNDY,
AMMON E. BUNDY,
RYAN W. PAYNE,
PETER T. SANTILLI, Jr.,
MELVIN D. BUNDY,
DAVID H. BUNDY,
BRIAN D. CAVALIER,
BLAINE COOPER,
GERALD A. DELEMUS,
ERIC J. PARKER,
O. SCOTT DREXLER,
RICHARD R. LOVELIEN,
STEVEN A. STEWART,
TODD C. ENGEL,
GREGORY P. BURLESON,
JOSEPH D. O'SHAUGHNESSY,
MICAHA L. McGUIRE, and
JASON D. WOODS,

defendants herein, did knowingly and willfully combine, conspire, confederate,

1 and agree with each other, and with others known and unknown to the Grand
2 Jury, to prevent by force, intimidation, and threats of violence, federal law
3 enforcement officers from discharging the duties of their office under the United
4 States, and to induce by force, intimidation, and threats, federal law enforcement
5 officers to leave the place where their duties were required to be performed, that
6 is, enforcing and executing federal Court Orders to remove trespass cattle from
7 federal public lands and enforcing federal laws and regulations on federal public
8 lands in and around the Allotment.

9 All in violation of Title 18, United States Code, Section 372.

10 **COUNT THREE**

11 Use and Carry of a Firearm in Relation to a Crime of Violence
12 (Title 18, United States Code, Sections 924(c) and 2)

13 159. Paragraphs 1 through 153 are incorporated herein in full.

14 160. Beginning in at least March 2014 and continuing to on or about the
15 date of this Superseding Indictment, in the State and Federal District of Nevada,
16 and elsewhere,

17 CLIVEN D. BUNDY,
18 RYAN C. BUNDY,
19 AMMON E. BUNDY,
20 RYAN W. PAYNE,
21 PETER T. SANTILLI, Jr.,
22 MELVIN D. BUNDY,
23 DAVID H. BUNDY,
24 BRIAN D. CAVALIER,
BLAINE COOPER,
GERALD A. DELEMUS,
ERIC J. PARKER,
O. SCOTT DREXLER,
RICHARD R. LOVELIEN,
STEVEN A. STEWART,
TODD C. ENGEL,

**GREGORY P. BURLESON,
JOSEPH D. O'SHAUGHNESSY,
MICAH L. McGUIRE, and
JASON D. WOODS,**

defendants herein, aided and abetted by each other, and by others known and unknown to the Grand Jury, did knowingly use and carry firearms, which were brandished, during and in relation to a crime of violence for which they may be prosecuted in a court of the United States, that is, conspiracy to impede and injure an officer, in violation of Title 18, United States Code, Section 372, as charged in Count Two of this Superseding Indictment.

All in violation of Title 18, United States Code, Sections 924(c)(1)(A)(ii) and 2.

COUNT FOUR

**Assault on a Federal Officer
(Title 18, United States Code, Sections 111(a)(1), (b) and 2)**

161. Paragraphs 1 through 153 are incorporated herein in full.

162. On or about April 9, 2014, in the State and Federal District of Nevada, and elsewhere,

**CLIVEN D. BUNDY,
RYAN C. BUNDY,
AMMON E. BUNDY,
RYAN W. PAYNE,
PETER T. SANTILLI, Jr., and
MELVIN D. BUNDY,**

defendants herein, aided and abetted by each other, and by others known and unknown to the Grand Jury, did use a dangerous and deadly weapon and forcibly assault, resist, oppose, impede, intimidate, and interfere with federal law enforcement officers and intend to forcibly assault, resist, oppose, impede,

1 intimidate, and interfere with federal law enforcement officers, while they were
2 engaged in and on the account of the performance of their official duties, that is,
3 escorting and providing security for personnel and equipment traveling in a BLM
4 convoy during impoundment operations as described herein.

5 All in violation of Title 18, United States Code, Sections 111(a)(1) and (b),
6 1114, and 2.

7 **COUNT FIVE**

8 Assault on a Federal Officer
9 (Title 18, United States Code, Sections 111(a)(1), (b) and 2)

10 163. Paragraphs 1 through 153 are incorporated herein in full.

11 164. On or about April 12, 2014, in the State and Federal District of
12 Nevada, and elsewhere,

13 **CLIVEN D. BUNDY,**
14 **RYAN C. BUNDY,**
15 **AMMON E. BUNDY,**
16 **RYAN W. PAYNE,**
17 **PETER T. SANTILLI, Jr.,**
18 **MELVIN D. BUNDY,**
19 **DAVID H. BUNDY,**
20 **BRIAN D. CAVALIER,**
21 **BLAINE COOPER,**
22 **GERALD A. DELEMUS,**
ERIC J. PARKER,
O. SCOTT DREXLER,
RICHARD R. LOVELIEN,
STEVEN A. STEWART,
TODD C. ENGEL,
GREGORY P. BURLESON,
JOSEPH D. O'SHAUGHNESSY,
MICAH L. McGUIRE, and
JASON D. WOODS,

23 defendants herein, aided and abetted by each other, and by others known and
24 unknown to the Grand Jury, did use a deadly and dangerous weapon and forcibly

1 assault, resist, oppose, impede, intimidate, and interfere with federal law
2 enforcement officers while they were engaged in, and on the account of, the
3 performance of their official duties, that is, guarding and protecting the
4 Impoundment Site at or near Bunkerville, Nevada, in furtherance of the execution
5 of federal Court Orders to remove cattle from the Allotment, as described herein.

6 All in violation of Title 18, United States Code, Sections 111(a)(1) and (b),
7 1114, and 2.

8 **COUNT SIX**

9 Use and Carry of a Firearm in Relation to a Crime of Violence
(Title 18, United States Code, Sections 924(c) and 2)

10 165. Paragraphs 1 through 153 are incorporated herein in full.

11 166. On or about April 12, 2014, in the State and Federal District of
12 Nevada, and elsewhere,

13 **CLIVEN D. BUNDY,**
14 **RYAN C. BUNDY,**
15 **AMMON E. BUNDY,**
16 **RYAN W. PAYNE,**
17 **PETER T. SANTILLI, Jr.,**
18 **MELVIN D. BUNDY,**
19 **DAVID H. BUNDY,**
20 **BRIAN D. CAVALIER,**
21 **BLAINE COOPER,**
22 **GERALD A. DELEMUS,**
23 **ERIC J. PARKER,**
O. SCOTT DREXLER,
RICHARD R. LOVELIEN,
STEVEN A. STEWART,
TODD C. ENGEL,
GREGORY P. BURLESON,
JOSEPH D. O'SHAUGHNESSY,
MICAH L. McGUIRE, and
JASON D. WOODS,

24 defendants herein, aided and abetted by each other, and by others known and

1 unknown to the Grand Jury, did knowingly use and carry a firearm, which was
2 brandished, during and in relation to a crime of violence for which they may be
3 prosecuted in a court of the United States, that is, assault on a federal officer in
4 violation of Title 18, United States Code, Section 111(a)(1) and (b), as charged in
5 Count Five of this Superseding Indictment.

6 All in violation of Title 18, United States Code, Sections 924(c)(1)(A)(ii) and
7 2.

8 **COUNT SEVEN**

9 Threatening a Federal Law Enforcement Officer
(Title 18, United States Code, Sections 115(a)(1)(B) and 2)

10 167. Paragraphs 1 through 153 are incorporated herein in full.

11 168. On or about April 11, 2014, in the State and Federal District of
12 Nevada, an elsewhere,

13 **CLIVEN D. BUNDY,**
14 **RYAN C. BUNDY,**
15 **AMMON E. BUNDY,**
16 **RYAN W. PAYNE, and**
PETER T. SANTILLI, Jr.,

17 defendants herein, aided and abetted by each other, and by others known and
18 unknown to the Grand Jury, did threaten to assault the SAC, a federal law
19 enforcement officer, and such other federal law enforcement officers associated
20 with impoundment operations, with the intent to impede, intimidate, and
21 interfere with said law enforcement officers while engaged in the performance of
22 their official duties and with the intent to retaliate against said law enforcement
23 officers on account of the performance of their duties, in that **SANTILLI**
24 confronted the SAC at the Impoundment Site, threatening with words and actions

1 to the effect that thousands would confront the officers with the potential for
2 violence, as described herein.

3 All in violation of Title 18, United States Code, Sections 115(a)(1)(B) and 2.

4 **COUNT EIGHT**

5 Threatening a Federal Law Enforcement Officer
6 (Title 18, United States Code, Sections 115(a)(1)(B) and 2)

7 169. Paragraphs 1 through 153 are incorporated herein in full.

8 170. On or about April 12, 2014, in the State and Federal District of
9 Nevada, an elsewhere,

10 **CLIVEN D. BUNDY,**
11 **RYAN C. BUNDY,**
12 **AMMON E. BUNDY,**
13 **RYAN W. PAYNE,**
14 **PETER T. SANTILLI, Jr.,**
15 **MELVIN D. BUNDY,**
16 **DAVID H. BUNDY,**
17 **BRIAN D. CAVALIER,**
18 **BLAINE COOPER,**
19 **GERALD A. DELEMUS,**
20 **ERIC J. PARKER,**
21 **O. SCOTT DREXLER,**
22 **RICHARD R. LOVELIEN,**
23 **STEVEN A. STEWART,**
24 **TODD C. ENGEL,**
GREGORY P. BURLESON,
JOSEPH D. O'SHAUGHNESSY,
MICAH L. McGUIRE, and
JASON D. WOODS,

20 defendants herein, aided and abetted by each other, and by others known and
21 unknown to the Grand Jury, did threaten to assault the SAC, a federal law
22 enforcement officer, and such other federal law enforcement officers associated
23 with impoundment operations, with the intent to impede, intimidate, and
24

1 interfere with said law enforcement officers while they were engaged in the
2 performance of their official duties and with the intent to retaliate against said
3 law enforcement officers on account of the performance of their duties, that is,
4 guarding and protecting the Impoundment Site in furtherance of the execution of
5 federal Court Orders to remove cattle from the Allotment as described herein.

6 All in violation of Title 18, United States Code, Sections 115(a)(1)(B) and 2.

7 **COUNT NINE**

8 Use and Carry of a Firearm in Relation to a Crime of Violence
9 (Title 18, United States Code, Sections 924(c) and 2)

10 171. Paragraphs 1 through 153 are incorporated herein in full.

11 172. On or about April 12, 2014, in the State and Federal District of
12 Nevada, and elsewhere,

13 **CLIVEN D. BUNDY,**
14 **RYAN C. BUNDY,**
15 **AMMON E. BUNDY,**
16 **RYAN W. PAYNE,**
17 **PETER T. SANTILLI, Jr.,**
18 **MELVIN D. BUNDY,**
19 **DAVID H. BUNDY,**
20 **BRIAN D. CAVALIER,**
21 **BLAINE COOPER,**
22 **GERALD A. DELEMUS,**
23 **ERIC J. PARKER,**
24 **O. SCOTT DREXLER,**
RICHARD R. LOVELIEN,
STEVEN A. STEWART,
TODD C. ENGEL,
GREGORY P. BURLESON,
JOSEPH D. O'SHAUGHNESSY,
MICAH L. McGUIRE, and
JASON D. WOODS,

defendants herein, aided and abetted by each other, and by others known and
unknown to the grand jury, did knowingly use and carry firearms, which were

1 brandished, during and in relation to a crime of violence for which they may be
2 prosecuted in a court of the United States, that is, threatening a federal law
3 enforcement officer, in violation of Title 18, United States Code, Section
4 115(a)(1)(B), as charged in Count Eight of this Superseding Indictment.

5 All in violation of Title 18, United States Code, Sections 924(c)(1)(A)(ii) and 2.

6 **COUNT TEN**

7 Obstruction of the Due Administration of Justice
8 (Title 18, United States Code, Sections 1503 and 2)

9 173. Paragraphs 1 through 153 are incorporated herein in full.

10 174. On or about April 6, 2014, in the State and Federal District of
11 Nevada and elsewhere,

12 **CLIVEN D. BUNDY,**
13 **RYAN C. BUNDY,**
14 **AMMON E. BUNDY,**
15 **RYAN W. PAYNE,**
16 **PETER T. SANTILLI, Jr., and**
17 **DAVID H. BUNDY,**

18 defendants herein, aided and abetted by each other, and by others known and
19 unknown to the Grand Jury, did corruptly, and by threats and force, and by
20 threatening communications, influence, obstruct, and impede, and attempt to
21 influence, obstruct, and impede, the due administration of justice, in that the
22 defendants threatened to impede the execution of federal Court Orders when **R.**
23 **BUNDY, D. BUNDY,** and others working with them, attempted to impede and
24 obstruct a BLM convoy at or near Nevada State Route 170 while the convoy was
engaged impoundment operations, as described herein.

All in violation of Title 18, United States Code, Sections 1503 and 2.

COUNT ELEVEN

Obstruction of the Due Administration of Justice
(Title 18, United States Code, Sections 1503 and 2)

175. Paragraphs 1 through 153 are incorporated herein in full.

176. On or about April 9, 2014, in the State and Federal District of Nevada and elsewhere,

**CLIVEN D. BUNDY,
RYAN C. BUNDY,
AMMON E. BUNDY,
RYAN W. PAYNE,
PETER T. SANTILLI, Jr., and
MELVIN D. BUNDY,**

defendants herein, aided and abetted by each other, and by others known and unknown to the Grand Jury, did corruptly, and by threats and force, and by threatening communications, influence, obstruct, and impede, and attempt to influence, obstruct, and impede, the due administration of justice, in that the defendants threatened force and violence and used force and violence to impede and thwart the execution of federal Court Orders, in that the defendants did impede and obstruct, and attempt to impede and obstruct, a BLM convoy while it was engaged in impoundment operations near Nevada State Route 170, as described herein.

All in violation of Title 18, United States Code, Sections 1503 and 2.

COUNT TWELVE

Obstruction of the Due Administration of Justice
(Title 18, United States Code, Sections 1503 and 2)

177. Paragraphs 1 through 153 are incorporated herein in full.

178. On or about April 12, 2014, in the State and Federal District of

1 Nevada,

2 CLIVEN D. BUNDY,
3 RYAN C. BUNDY,
4 AMMON E. BUNDY,
5 RYAN W. PAYNE,
6 PETER T. SANTILLI, Jr.,
7 MELVIN D. BUNDY,
8 DAVID H. BUNDY,
9 BRIAN D. CAVALIER,
10 BLAINE COOPER,
11 GERALD A. DELEMUS,
12 ERIC J. PARKER,
13 O. SCOTT DREXLER,
14 RICHARD R. LOVELIEN,
15 STEVEN A. STEWART,
16 TODD C. ENGEL,
17 GREGORY P. BURLESON,
18 JOSEPH D. O'SHAUGHNESSY,
19 MICAH L. McGUIRE, and
20 JASON D. WOODS,

21 defendants herein, aided and abetted by each other, and by others known and
22 unknown to the Grand Jury, did corruptly, and by threats and force, and by
23 threatening communications, influence, obstruct, and impede, and attempt to
24 influence, obstruct, and impede, the due administration of justice, in that the
defendants threatened force and violence and used force and violence to impede,
obstruct and thwart the execution of federal Court Orders by assaulting and
extorting federal officers at the Impoundment Site, as described herein.

20 All in violation of Title 18, United States Code, Sections 1503 and 2.

21 **COUNT THIRTEEN**

22 Interference with Interstate Commerce by Extortion
(Title 18, United States Code, Sections 1951 and 2)

23 179. Paragraphs 1 through 153 are incorporated herein in full.

24 180. On or about April 2 and 9, 2014, in the State and Federal District of

1 Nevada, and elsewhere,

2 **CLIVEN D. BUNDY,**
3 **RYAN C. BUNDY,**
4 **AMMON E. BUNDY,**
5 **RYAN W. PAYNE,**
6 **PETER T. SANTILLI, Jr., and**
7 **MELVIN D. BUNDY,**

8 defendants herein, aided and abetted by each other, and by others known and
9 unknown to the Grand Jury, did obstruct, delay and affect commerce, and attempt
10 to obstruct, delay and affect commerce, and the movement of articles and
11 commodities in such commerce, by extortion, as those terms are defined in Title
12 18, United States Code, Section 1951, in that the defendants attempted to obtain
13 impounded cattle in the care, custody, and possession of a contract auctioneer in
14 Utah, with his or her consent having been induced by the wrongful use of force,
15 violence, and fear, including fear of economic loss, as described herein.

16 All in violation of Title 18, United States Code, Sections 1951(a) and 2.

17 **COUNT FOURTEEN**

18 Interference with Interstate Commerce by Extortion
19 (Title 18, United States Code, Sections 1951 and 2)

20 181. Paragraphs 1 through 153 are incorporated herein in full.

21 182. On or about April 12, 2014, in the Federal District of Nevada, and
22 elsewhere,

23 **CLIVEN D. BUNDY,**
24 **RYAN C. BUNDY,**
AMMON E. BUNDY,
RYAN W. PAYNE,
PETER T. SANTILLI, Jr.,
MELVIN D. BUNDY,
DAVID H. BUNDY,
BRIAN D. CAVALIER,

1 BLAINE COOPER,
2 GERALD A. DELEMUS,
3 ERIC J. PARKER,
4 O. SCOTT DREXLER,
5 RICHARD R. LOVELIEN,
6 STEVEN A. STEWART,
7 TODD C. ENGEL,
8 GREGORY P. BURLESON,
9 JOSEPH D. O'SHAUGHNESSY,
10 MICAH L. McGUIRE, and
11 JASON D. WOODS,

12 defendants herein, aided and abetted by each other, and by others known and
13 unknown to the Grand Jury, did obstruct, delay and affect commerce, and attempt
14 to obstruct, delay and affect commerce, and the movement of articles and
15 commodities in such commerce, by extortion, as those terms are defined in Title
16 18, United States Code, Section 1951, in that the defendants did obtain, and
17 attempt to obtain, approximately 400 head of cattle at or near Bunkerville,
18 Nevada, from the care, custody, and possession of the SAC and such other federal
19 law enforcement officers engaged in impoundment operations, with their consent
20 having been induced by the wrongful use of force, violence, and fear as described
21 herein.

22 All in violation of Title 18, United States Code, Sections 1951(a) and 2.

23 **COUNT FIFTEEN**

24 Use and Carry of a Firearm in Relation to a Crime of Violence
 (Title 18, United States Code, Sections 924(c) and 2)

183. Paragraphs 1 through 153 are incorporated herein in full.

184. On or about April 12, 2014, in the State and Federal District of
Nevada and elsewhere,

1 CLIVEN D. BUNDY,
2 RYAN C. BUNDY,
3 AMMON E. BUNDY,
4 RYAN W. PAYNE,
5 PETER T. SANTILLI, Jr.,
6 MELVIN D. BUNDY,
7 DAVID H. BUNDY,
8 BRIAN D. CAVALIER,
9 BLAINE COOPER,
10 GERALD A. DELEMUS,
11 ERIC J. PARKER,
12 O. SCOTT DREXLER,
13 RICHARD R. LOVELIEN,
14 STEVEN A. STEWART,
15 TODD C. ENGEL,
16 GREGORY P. BURLESON,
17 JOSEPH D. O'SHAUGHNESSY,
18 MICAH L. McGUIRE, and
19 JASON D. WOODS,

20 defendants herein, aided and abetted by each other, and by others known and
21 unknown to the grand jury, did knowingly use and carry firearms, which were
22 brandished, during and in relation to a crime of violence for which they may be
23 prosecuted in a court of the United States, that is, interference with interstate
24 commerce by extortion, in violation of Title 18, United States Code, Section 1951,
as charged in Count Fourteen of this Superseding Indictment.

All in violation of Title 18, United States Code, Sections 924(c)(1)(A)(ii) and

2.

COUNT SIXTEEN

Interstate Travel in Aid of Extortion
(Title 18, United States Code, Sections 1952 and 2)

185. Paragraphs 1 through 153 are incorporated herein in full.

186. On or about and between April 5 and April 12, 2014, in the Federal

District of Nevada and elsewhere,

**CLIVEN D. BUNDY,
RYAN C. BUNDY,
AMMON E. BUNDY,
RYAN W. PAYNE,
PETER T. SANTILLI, Jr.,
MELVIN D. BUNDY,
DAVID H. BUNDY,
BRIAN D. CAVALIER,
BLAINE COOPER,
GERALD A. DELEMUS,
ERIC J. PARKER,
O. SCOTT DREXLER,
RICHARD R. LOVELIEN,
STEVEN A. STEWART,
TODD C. ENGEL,
GREGORY P. BURLESON,
JOSEPH D. O'SHAUGHNESSY,
MICAH L. McGUIRE, and
JASON D. WOODS,**

defendants herein, aided and abetted by each other, and by others known and unknown to the Grand Jury, traveled in interstate commerce and willfully used a facility in interstate commerce, namely the internet or worldwide web, with the intent to commit a crime of violence to further an unlawful activity, that is, extortion in violation of Title 18, United States Code, Section 1951(a) and Nevada Revised Statute 205.320, and thereafter committed, and attempted to commit, the crime of violence to further such unlawful activity.

All in violation of Title 18, United States Code, Sections 1952(a)(2) and 2.

FORFEITURE ALLEGATION ONE

(Conspiracy to Commit an Offense Against the United States; Conspiracy to Impede and Injure a Federal Officer; Use and Carry of a Firearm in Relation to a Crime of Violence; Assault on a Federal Officer; Threatening a Federal Law Enforcement Officer; Obstruction of the Due Administration of Justice; Interference with Interstate Commerce by Extortion; and Interstate Travel in Aid of Extortion)

1. The allegations contained in Counts One through Sixteen of this Superseding Criminal Indictment are hereby re-alleged and incorporated herein by reference for the purpose of alleging forfeiture pursuant to Title 18, United States Code, Section 924(d)(1) with Title 28, United States Code, Section 2461(c).

2. Upon conviction of any of the felony offenses charged in Counts One through Sixteen of this Superseding Criminal Indictment,

**CLIVEN D. BUNDY,
RYAN C. BUNDY,
AMMON E. BUNDY,
RYAN W. PAYNE,
PETER T. SANTILLI, Jr.,
MELVIN D. BUNDY,
DAVID H. BUNDY,
BRIAN D. CAVALIER,
BLAINE COOPER,
GERALD A. DELEMUS,
ERIC J. PARKER,
O. SCOTT DREXLER,
RICHARD R. LOVELIEN,
STEVEN A. STEWART,
TODD C. ENGEL,
GREGORY P. BURLESON,
JOSEPH D. O'SHAUGHNESSY,
MICAH L. McGUIRE, and
JASON D. WOODS,**

defendants herein, shall forfeit to the United States of America, any firearm or ammunition involved in or used in any knowing violation of Title 18, United States Code, Section 924(c), or any violation of any other criminal law of the

1 United States, Title 18, United States Code, Sections 371, 372, 111(a)(1),
 2 115(a)(1), 1503, 1951, and 1952: any firearm or ammunition possessed by the
 3 above-named defendants on April 12, 2014, at Impoundment Site near
 4 Bunkerville, Nevada, including but not limited to the firearms possessed by
 5 **CLIVEN D. BUNDY, RYAN C. BUNDY, AMMON E. BUNDY, RYAN W.**
 6 **PAYNE, PETER T. SANTILLI, JR., BRIAN CAVALIER, GERALD**
 7 **DELEMUS, ERIC J. PARKER, O. SCOTT DREXLER, RICHARD**
 8 **LOVELIEN, STEVEN A. STEWART, TODD C. ENGEL, GREGORY**
 9 **BURLESON, JOSEPH O'SHAUGHNESSY, MICAH MCGUIRE, and JASON**
 10 **WOODS.**

11 All pursuant to Title 18, United States Code, Section 924(d)(1) with Title
 12 28, United States Code, Section 2461(c) and Title 18, United States Code, Sections
 13 924(c), 371, 372, 111(a)(1), 115(a)(1), 1503, 1951, and 1952.

14 **FORFEITURE ALLEGATION TWO**

15 (Conspiracy to Commit an Offense Against the United States; Conspiracy to
 16 Impede and Injure a Federal Officer; Use and Carry of a Firearm in Relation to a
 17 Crime of Violence; Assault on a Federal Officer; Threatening a Federal Law
 18 Enforcement Officer; Obstruction of the Due Administration of Justice;
 Interference with Interstate Commerce by Extortion; and Interstate Travel in Aid
 of Extortion)

19 3. The allegations contained in Counts One through Sixteen of this
 20 Superseding Criminal Indictment are hereby re-alleged and incorporated herein
 21 by reference for the purpose of alleging forfeiture pursuant to Title 18, United
 22 States Code, Section 924(d)(1), (2)(C), and (3)(A) with Title 28, United States Code,
 23 Section 2461(c).
 24

1 4. Upon conviction of any of the felony offenses charged in Counts One
2 through Sixteen of this Superseding Criminal Indictment,

3 **CLIVEN D. BUNDY,**
4 **RYAN C. BUNDY,**
5 **AMMON E. BUNDY,**
6 **RYAN W. PAYNE,**
7 **PETER T. SANTILLI, Jr.,**
8 **MELVIN D. BUNDY,**
9 **DAVID H. BUNDY,**
10 **BRIAN D. CAVALIER,**
11 **BLAINE COOPER,**
12 **GERALD A. DELEMUS,**
13 **ERIC J. PARKER,**
14 **O. SCOTT DREXLER,**
15 **RICHARD R. LOVELIEN,**
16 **STEVEN A. STEWART,**
17 **TODD C. ENGEL,**
18 **GREGORY P. BURLESON,**
19 **JOSEPH D. O'SHAUGHNESSY,**
20 **MICAH L. McGUIRE, and**
21 **JASON D. WOODS,**

22 defendants herein, shall forfeit to the United States of America, any firearm or
23 ammunition intended to be used in any crime of violence, Title 18, United States
24 Code, Sections 371, 372, 111(a)(1), 115(a)(1), 924(c), 1503, 1951, and 1952: any
firearm or ammunition possessed by the above-named defendants on April 12,
2014, at Impoundment Site near Bunkerville, Nevada, including but not limited to
the firearms possessed by **CLIVEN D. BUNDY, RYAN C. BUNDY, AMMON E.**
BUNDY, RYAN W. PAYNE, PETER T. SANTILLI, JR., BRIAN CAVALIER,
GERALD DELEMUS, ERIC J. PARKER, O. SCOTT DREXLER, RICHARD
LOVELIEN, STEVEN A. STEWART, TODD C. ENGEL, GREGORY
BURLESON, JOSEPH O'SHAUGHNESSY, MICAH MCGUIRE and JASON
WOODS.

1 All pursuant to Title 18, United States Code, Section 924(d)(1), (2)(C), and
 2 (3)(A) with Title 28, United States Code, Section 2461(c) and Title 18, United
 3 States Code, Sections 371, 372, 111(a)(1), 115(a)(1), 924(c), 1503, 1951, and 1952.

4 **FORFEITURE ALLEGATION THREE**

5 (Conspiracy to Commit an Offense Against the United States and
 6 Threatening a Federal Law Enforcement Officer)

7 5. The allegations contained in Counts One, Seven, and Eight of this
 8 Superseding Criminal Indictment are hereby re-alleged and incorporated herein
 9 by reference for the purpose of alleging forfeiture pursuant to Title 18, United
 10 States Code, Section 981(a)(1)(C) with Title 28, United States Code, Section
 11 2461(c).

12 6. Upon conviction of any of the felony offenses charged in Counts One,
 13 Seven, and Eight of this Superseding Criminal Indictment,

14 CLIVEN D. BUNDY,
 15 RYAN C. BUNDY,
 16 AMMON E. BUNDY,
 17 RYAN W. PAYNE,
 18 PETER T. SANTILLI, Jr.,
 19 MELVIN D. BUNDY,
 20 DAVID H. BUNDY,
 21 BRIAN D. CAVALIER,
 22 BLAINE COOPER,
 23 GERALD A. DELEMUS,
 24 ERIC J. PARKER,
 O. SCOTT DREXLER,
 RICHARD R. LOVELIEN,
 STEVEN A. STEWART,
 TODD C. ENGEL,
 GREGORY P. BURLESON,
 JOSEPH D. O'SHAUGHNESSY,
 MICAH L. McGUIRE, and
 JASON D. WOODS,

1 defendants herein, shall forfeit to the United States of America, any property, real
2 or personal, which constitutes or is derived from proceeds traceable to violations of
3 Title 18, United States Code, Section 115(a)(1), a specified unlawful activity as
4 defined in Title 18, United States Code, Sections 1956(c)(7)(D), or Title 18, United
5 States Code, Section 371, conspiracy to commit such offense, an *in personam*
6 criminal forfeiture money judgment, including, but not limited to, at least
7 \$3,000,000 in United States Currency, including any and all cattle on the
8 Bunkerville Allotment and Lake Mead National Recreational Area (property).

9 7. If any property subject to forfeiture pursuant to Title 18, United States
10 Code, Section 981(a)(1)(C) with Title 28, United States Code, Section 2461(c), as a
11 result of any act or omission of the defendants:

- 12 a. cannot be located upon the exercise of due diligence;
13 b. has been transferred or sold to, or deposited with, a third party;
14 c. has been placed beyond the jurisdiction of the court;
15 d. has been substantially diminished in value; or
16 e. has been commingled with other property which cannot be divided
17 without difficulty.
18

19 it is the intent of the United States of America, pursuant to Title 21, United
20 States Code, Section 853(p), to seek forfeiture of any properties of the defendants
21 for the property listed above and the *in personam* criminal forfeiture money
22 judgment including, but not limited to, at least \$3,000,000 in United States
23 Currency.
24

1 All pursuant to Title 18, United States Code, Section 981(a)(1)(C) with Title
 2 28, United States Code, Section 2461(c); Title 18, United States Code, Sections 371
 3 and 115(a)(1); and Title 21, United States Code, Section 853(p).

4 **FORFEITURE ALLEGATION FOUR**

5 (Conspiracy to Commit an Offense Against the United States and Obstruction of
 6 the Due Administration of Justice)

7 8. The allegations contained in Counts One and Ten through Twelve of this
 8 Superseding Criminal Indictment are hereby re-alleged and incorporated herein
 9 by reference for the purpose of alleging forfeiture pursuant to Title 18, United
 10 States Code, Section 981(a)(1)(C) with Title 28, United States Code, Section
 11 2461(c).

12 9. Upon conviction of any of the felony offenses charged in Counts One and
 13 Ten through Twelve of this Superseding Criminal Indictment,

14 **CLIVEN D. BUNDY,**
 15 **RYAN C. BUNDY,**
 16 **AMMON E. BUNDY,**
 17 **RYAN W. PAYNE,**
 18 **PETER T. SANTILLI, Jr.,**
 19 **MELVIN D. BUNDY,**
 20 **DAVID H. BUNDY,**
 21 **BRIAN D. CAVALIER,**
 22 **BLAINE COOPER,**
 23 **GERALD A. DELEMUS,**
 24 **ERIC J. PARKER,**
O. SCOTT DREXLER,
RICHARD R. LOVELIEN,
STEVEN A. STEWART,
TODD C. ENGEL,
GREGORY P. BURLESON,
JOSEPH D. O'SHAUGHNESSY,
MICAH L. McGUIRE, and
JASON D. WOODS,

1 defendants herein, shall forfeit to the United States of America, any property, real
2 or personal, which constitutes or is derived from proceeds traceable to violations of
3 Title 18, United States Code, Section 1503, a specified unlawful activity as defined
4 in Title 18, United States Code, Sections 1956(c)(7)(A) and 1961(1)(B), or Title 18,
5 United States Code, Section 371, conspiracy to commit such offense, an *in*
6 *personam* criminal forfeiture money judgment, including, but not limited to, at
7 least \$3,000,000 in United States Currency, including any and all cattle on the
8 Bunkerville Allotment and Lake Mead National Recreational Area (property).

9 10. If any property subject to forfeiture pursuant to Title 18, United States
10 Code, Section 981(a)(1)(C) with Title 28, United States Code, Section 2461(c), as a
11 result of any act or omission of the defendants:

- 12 a. cannot be located upon the exercise of due diligence;
13 b. has been transferred or sold to, or deposited with, a third party;
14 c. has been placed beyond the jurisdiction of the court;
15 d. has been substantially diminished in value; or
16 e. has been commingled with other property which cannot be divided
17 without difficulty;

18
19 it is the intent of the United States of America, pursuant to Title 21, United
20 States Code, Section 853(p), to seek forfeiture of any properties of the defendants
21 for the
22 property listed above and the *in personam* criminal forfeiture money judgment
23 including, but not limited to, at least \$3,000,000 in United States Currency.
24

1 All pursuant to Title 18, United States Code, Section 981(a)(1)(C) with Title
 2 28, United States Code, Section 2461(c); Title 18, United States Code, Sections 371
 3 and 1503; and Title 21, United States Code, Section 853(p).

4 **FORFEITURE ALLEGATION FIVE**

5 (Conspiracy to Commit an Offense Against the United States; Interference with
 6 Interstate Commerce by Extortion; and Interstate Travel in Aid of Extortion)

7 11. The allegations contained in Counts One, Thirteen, Fourteen, and
 8 Sixteen of this Superseding Criminal Indictment are hereby re-alleged and
 9 incorporated herein by reference for the purpose of alleging forfeiture pursuant to
 10 Title 18, United States Code, Section 981(a)(1)(C) with Title 28, United States
 11 Code, Section 2461(c).

12 12. Upon conviction of any of the felony offenses charged in Counts One,
 13 Thirteen, Fourteen, and Sixteen of this Superseding Criminal Indictment,

14 **CLIVEN D. BUNDY,**
 15 **RYAN C. BUNDY,**
 16 **AMMON E. BUNDY,**
 17 **RYAN W. PAYNE,**
 18 **PETER T. SANTILLI, Jr.,**
 19 **MELVIN D. BUNDY,**
 20 **DAVID H. BUNDY,**
 21 **BRIAN D. CAVALIER,**
 22 **BLAINE COOPER,**
 23 **GERALD A. DELEMUS,**
 24 **ERIC J. PARKER,**
O. SCOTT DREXLER,
RICHARD R. LOVELIEN,
STEVEN A. STEWART,
TODD C. ENGEL,
GREGORY P. BURLESON,
JOSEPH D. O'SHAUGHNESSY,
MICAH L. McGUIRE, and
JASON D. WOODS,

1 defendants herein, shall forfeit to the United States of America, any property, real
2 or personal, which constitutes or is derived from proceeds traceable to violations of
3 Title 18, United States Code, Sections 1951 and 1952 and Nevada Revised Statute
4 205.320, specified unlawful activities as defined in Title 18, United States Code,
5 Sections 1956(c)(7)(A) and 1961(1)(A) and (1)(B), or Title 18, United States Code,
6 Section 371, conspiracy to commit such offenses, an *in personam* criminal
7 forfeiture money judgment, including, but not limited to, at least \$3,000,000 in
8 United States Currency, including any and all cattle on the Bunkerville Allotment
9 and Lake Mead National Recreational Area (property).

10 13. If any property subject to forfeiture pursuant to Title 18, United States
11 Code, Section 981(a)(1)(C) with Title 28, United States Code, Section 2461(c), as a
12 result of any act or omission of the defendants:

- 13 a. cannot be located upon the exercise of due diligence;
14 b. has been transferred or sold to, or deposited with, a third party;
15 c. has been placed beyond the jurisdiction of the court;
16 d. has been substantially diminished in value; or
17 e. has been commingled with other property which cannot be divided
18 without difficulty;
19

20 it is the intent of the United States of America, pursuant to Title 21, United
21 States Code, Section 853(p), to seek forfeiture of any properties of the defendants
22 for the property listed above and the *in personam* criminal forfeiture money
23 judgment including, but not limited to, at least \$3,000,000 in United States
24 Currency.

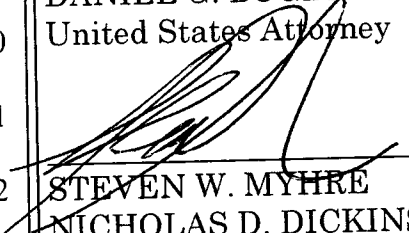
1 All pursuant to Title 18, United States Code, Section 981(a)(1)(C) with Title
2 28, United States Code, Section 2461(c); Title 18, United States Code, Sections
3 371, 1951, and 1952; Nevada Revised Statute 205.320; and Title 21, United States
4 Code, Section 853(p).

5 DATED: this 2nd day of March, 2016.

6 A TRUE BILL:

7 /s/
8 FOREPERSON OF THE GRAND JURY

9 DANIEL G. BOGDEN
10 United States Attorney

11 
12 STEVEN W. MYHRE
13 NICHOLAS D. DICKINSON
14 Assistant United States Attorneys
15 NADIA J. AHMED
16 ERIN M. CREEGAN
17 Special Assistant United States Attorneys
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19 Attorneys for the United States.
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